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May 6, 2008

***VIA HAND DELIVERY***

The Hon. Elizabeth D. Laporte  
Magistrate Judge  
United States District Court  
Northern District of California  
450 Golden Gate Avenue, Room E, 15th Floor  
San Francisco, CA 94102

Re: *Richard Howard v. Wells Fargo Financial Missouri, Inc., et al.*  
(N.D. Cal. Case No. C07-05881 EDL)

Your Honor:

We represent defendants Wells Fargo Financial Missouri, Inc., Wells Fargo Financial Acceptance, Wells Fargo Auto Finance, Inc., Wells Fargo Financial Car, LLC (“Wells Fargo”) in the above-captioned matter. We are in receipt of the May 5, 2008 letter to Your Honor from Ron Bochner, counsel for plaintiff Richard Howard in the above-captioned matter. We have also reviewed the Court’s standing Order Re Discovery Procedures but, respectfully, do not believe that paragraph 9 of that order contemplates that the parties should bring discovery issues to the Court’s attention by letter. It is Wells Fargo’s understanding that the parties should confer in good faith in an effort to resolve discovery disputes before filing a motion, as required by paragraph 1 of the Order Re Discovery Procedures, Civil Local Rule 37-1(a) and FRCP Rule 37. Such a conference has not yet occurred in this case. Unless Your Honor directs us to do otherwise, Wells Fargo will not respond substantively to Mr. Bochner’s letter but will attempt to resolve these discovery issues at the conference which it has requested.

Very truly yours,



Mark D. Lonergan

MDL:psc

cc: Ron Bochner, Esq. (via facsimile)

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TO:	Ron Keith Bochner, Esq.	<u>FAX #</u> (510) 740-3699	<u>PHONE #</u> (408) 200-9890
FROM:	Mark D. Lonergan		
RE:	<i>Howard v. Wells Fargo Financial Missouri, Inc.</i>		

CLIENT NAME/NUMBER: 07515.0096

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Correspondence of today's date.